IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

WP(C).No. 22945 of 2007(F)

PETITIONER:

M.SHUKOOR, ERAMALLY VEEDU,
NANTHAVVANAM, THIRUVANANTHAPURAM.

BY ADV. SRI.C.R.SIVAKUMAR
SMT.G.VIDYA

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

3. THE SECRETARY, THE KILIMANOOR CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO.T 316, KILILMANOOR, THIRUVANANTHAPURAM,

4. THE SPECIAL SALE OFFICER,
THE KILIMANOOR CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO.T 316, KILILMANOOR THIRUVANANTHAPURAM,

R1 & R2 BY GOVERNMENT PLEADER (SHRI P.K. RAVIKRISHNAN)

R3 & R4 BY ADV. SRI.NAGARAJ NARAYANAN
SRI.NAIR AJAY KRISHNAN
SRI.RAJAN VELLOTH
SRI.SAIJO HASSAN
SRI.A.S.SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C). NO. 22945 OF 2007 F

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE PASS BOOK IN LOAN NO.NF 171/99.

EXT.P2 TRUE COPY OF THE NOTICE DATED 19.3.2007.

EXT.P3 TRUE COPY OF THE PAPER PUBLICATION DATED 17.7.2007.

EXT.P4 TRUE COPY OF THE REPRESENTATION DATED 20.7.2007.

RESPONDENTS' EXHIBITS: NIL.

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 22945 OF 2007 F

Dated this the 26th September, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Recovery steps are under challenge. Heard the learned counsel for the petitioner and also the learned standing counsel appearing for the respondent Bank. Counsel for petitioner prays for time to pay off the amount in instalments. Petitioner is permitted to pay off the amount due with interest in eight equal monthly instalments. The respondent Bank will serve on the petitioner a Statement within two weeks from today, showing the exact amount of instalments to be paid on the basis that the petitioner has to pay off the entire amount in eight equal monthly instalments. The first instalment shall be paid on or before 22.10.2007 and the remaining instalments on or before the 22nd of every succeeding month. If any of the instalment is defaulted, petitioner will lose the benefit of this Judgment and

the respondent Bank will be free to proceed against the petitioner in accordance with law.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.